

Notice of Allowability

Application No.

09/995,081

Examiner

Steven S. Paik

Applicant(s)

STEKLENSKI ET AL.

Art Unit

2876

-- **Th MAILING DATE of this communication appears on th cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the After Final Amendment filed May 28, 2004.
2. ☒ The allowed claim(s) is/are 1-10 and 12-26.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20040614.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other No drawings required.

Steven S. Paik
Examiner
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DETAILED ACTION

Response to Amendment

1. Receipt is acknowledged of the Amendment After Final filed May 28, 2004. The Applicant amended claims 3, 9 and 17.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kathleen Neuner Manne on June 14, 2004.

The application has been amended as follows:

IN THE CLAIMS:

1. (previously amended) A method of measuring an absorbed dose of ionizing radiation using a measuring device that bears an integral identification mark, comprising the steps of:

providing a support;

coating on said support a first region for measuring an absorbed dose of ionizing radiation, said region comprising a binder and alanine;

disposing on said support a second region that bears an integral identification mark;

exposing at least the first region to a dose of ionizing radiation, wherein the alanine, upon exposure to ionizing radiation, produces radicals; and

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detecting the radicals in the first region.

2. (original) The method of claim 1 further comprising a step of revealing the identification mark in the second region.

3. (previously amended) The method of claim 1 further comprising a step of deciphering the identification mark in the second region.

4. (original) The method of claim 1 wherein the identification mark is a bar code, a series of alpha-numeric characters or a combination thereof.

5. (original) The method of claim 1 wherein the identification mark is on a substrate.

6. (original) The method of claim 5 wherein the substrate for the identification mark is a label.

7. (original) The method of claim 5 wherein the substrate for the identification mark is an intermediate layer and a dark-colored layer coated directly onto the support.

8. (original) The method of claim 1 wherein the substrate for the identification mark extends partially over the alanine-containing layer.

9. (previously amended) The method of claim 2 wherein the identification mark is revealed through the use of a laser.

10. (original) The method of claim 1 wherein the identification mark is printed onto a strip.

11 (canceled)

12. (currently amended) The method of claim 1 wherein the radicals remain stable for at least 3 hours ~~long periods of time~~.

13. (original) The method of claim 1 wherein the support is flexible.

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14. (previously amended) The method of claim 1 wherein the alanine is in crystalline form.

15. (original) The method of claim 14 wherein the crystalline alanine comprises particles less than 100 microns in size.

16. (previously amended) The method of claim 1 wherein the coated first region is between 100 and 200 microns thick.

17. (currently amended) A dosimeter comprising:
a support;
at least one first region disposed on said support, the first region containing alanine and a binder;
at least one second region disposed on said support;
wherein the first region is for measuring an absorbed dose of ionizing radiation and the second region bears an identification mark on a substrate.

18. (previously presented) The dosimeter of claim 17 wherein the identification mark is a bar code, a series of alpha-numeric characters or a combination thereof.

19. (previously presented) The dosimeter of claim 17 wherein the substrate for the identification mark is a label.

20. (previously presented) The dosimeter of claim 17 wherein the substrate for the identification mark is a label which is adhered to the support by means of a thermally activated adhesive.

21. (previously presented) The dosimeter of claim 17 wherein the substrate for the identification mark is a label the topmost surface of which is coated with an intermediate layer and a dark-colored layer.

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22. (previously presented) The dosimeter of claim 17 wherein the substrate for the identification mark is a label the topmost surface of which is coated with an intermediate layer and a dark-colored layer which is black.

23. (previously presented) The dosimeter of claim 17 wherein the substrate for the identification mark is an intermediate layer and a dark-colored layer coated directly onto the support.

24. (previously presented) The dosimeter of claim 17 wherein the substrate for the identification mark extends partially over the alanine-containing layer.

25. (currently amended) The dosimeter of claim 17 wherein the identification mark is revealed ~~uncovered~~/revealed through the use of a laser.

26. (previously presented) The dosimeter of claim 17 wherein the identification mark is printed onto a strip.

Allowable Subject Matter

3. Claims 1-10 and 12-26 are allowed.

The following is an examiner's statement of reasons for allowance: after further search and thorough examination of the present application and in view of the Applicant's arguments, amendments, and the Terminal Disclaimer, claims 1-10 and 12-26 are found to be in condition for allowance over the prior art made of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Mon - Fri (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Steven S. Paik
Examiner
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